

**MEETING OF THE
EXECUTIVE COMMITTEE OF THE
TRANSPORTATION AUTHORITY OF MARIN**

WEDNESDAY, NOVEMBER 10TH, 2004

Executive Committee members present: Cynthia Murray, Marin County Board of Supervisors
Steve Kinsey, Marin County Board of Supervisors
Joan Lundstrom, Larkspur City Council
Al Boro, San Rafael City Council
Alice Fredericks, Tiburon Town Council
Lew Tremaine, Fairfax Town Council
Peter Breen, San Anselmo Town Council

Staff Members Present: Craig Tackabery, TAM Executive Director
Dean Powell, Principal Transportation Planner
Carey Lando, Senior Transportation Planner

Chair Kinsey called the Executive Committee meeting of the Transportation Authority of Marin Meeting to order at 3:07 p.m.

- 1) Approval of Minutes from October 6, 2004 Meeting

Commissioner Murray moved to approve the minutes. Motion was seconded by Commissioner Fredericks. Motion passed 6/0/1.

- 2) Executive Director's Report

Executive Director Tackabery reported that Contra Costa, Sacramento, San Bernardino, San Diego, and San Mateo counties all received voter support to renew their respective transportation measures; and regarding first-time measures, only Marin and Sonoma counties, out of 5 counties locally, prevailed. AC Transit passed their parcel tax with 72% approval; BART's seismic measure passed with 68% approval.

As Propositions 68 & 70 failed, the Governor's plan is to sell bonds, backed by Indian gaming funds to provide monies for transportation. The bond sales, however, are tied up in litigation, with State Card Clubs (Prop 68).

MTC's holding a workshop Friday from 10am to 4pm with the Mineta Transportation Institute on Bus Rapid Transit.

Executive Director Tackabery said he is attending the upcoming Self-Help Counties Conference in La Quinta, California that will feature topics such as *Winning Expenditures Plans and Winning Campaigns*. Mr. Tackabery is invited to sit on the Expenditure Plan panel, and just this week, Marin County has been invited to sit on the *Campaign* panel, to discuss how Marin won approval for Measure A.

Chair Kinsey said MTC is conducting a Strategic Planning process which historically has never been done, and his understanding is that some of the Bay Area's 9 CMA's are concerned that this might be an effort to take more away from local jurisdictions. Executive Director Tackabery explained that constant discussion and tension exists among the nine counties due to policy issues, and about who makes decisions, at the local or regional level. The concern heightens every three years as MTC reviews the Regional Transportation Plan policies. For example, the

Bridge Toll Program, with Regional Measure 2 (RM2), passed, and MTC now has financial responsibility for all providing this funding to entities to implement projects. However, some CMA's concerns were about whether MTC was evaluating its role, such as allocating adequate resources, and if not, it could possibly affect local jurisdictions. Chair Kinsey said the Strategic Planning process is completely legitimate, and there needs to be a conduit for all of the partners to be able to contribute to the Strategic Plan.

3) Measure A Next Steps Discussion

A. Board of Equalization

TAM will soon receive contracts from the Board and TAM will execute these contracts with the Board. The tax will be collected beginning April 1, 2005; TAM will receive its first payment, just one month's worth, however, in June 2005. Commissioner Lundstrom suggested a press release be issued to explain to the public how the tax will be processed and when it is distributed.

B. Agreement with Marin County Transit District for fixed route service, paratransit, West Marin Stagecoach

A subcommittee was formed between MCTD and TAM to work on the details of this agreement. A draft contract has been negotiated which will go to both MCTD and GGBH&TD Boards this month for fixed route service. At next week's regular TAM meeting, Executive Director Tackabery said he would lead discussion on how to spend the sales tax in the short-term; programs needing money immediately, during the first two fiscal years. Safe Routes to Schools (SR2S) is funded through 2004-05 (due to a TFCA grant) yet, Mr. Tackabery said this program will also be included in the discussion next week for continuity purposes.

Several actions will then need to take place: first, to give MCTD money, TAM needs to enter into a cooperative agreement which allows one entity to pass money to the other. TAM will need a 'dry period loan' as TAM knows it will receive some sales tax money in June, which allows TAM to use funds via the County treasury to pay bills, yet, we'll also need a conventional loan for one year. The strategy is to maintain existing programs. In its five-year Strategic Plan mark, TAM will ensure it has met Measure A's allocation intent, and that it uses all of the percentages over that 5-year period. The agreement with GGBHTD is for 18-months. Now that TAM has a local funding source, we will evaluate the methods of local service, looking at what is best for Marin. By November 2005, MCTD will inform the GGBHTD as to whether they want the Bridge District to continue to provide service.

Chair Kinsey said there will be recommendation from the Joint Committee of MCTD and TAM, to TAM at next week's regular meeting pertaining to the allocation resolution. For an 18-month period, having begun on November 1, 2004 the contract with GGBHTD should be supported and TAM should be prepared to work together to draft a financial plan for the MCTD. During the first 12-months of that 18-month period, TAM should carefully review issues surrounding the MCTD and making decisions about on-going transit plan operations and delivery. Chair Kinsey also said the Strategic Plan comprises the four program areas of Measure A, plus TAM's organizational structure and development.

C. 101 HOV Gap Closure, cooperative agreement with Caltrans

Executive Director Tackabery said he, along with City of San Rafael DPW Director Preston, has a meeting with Caltrans next Friday. Caltrans is not going to make any changes unless TAM has a method of payment for them through a Cooperative Agreement, which, in turn, lays out the terms of the process. Measure A provides many of the funding elements of the Gap Closure Project: the

N/S Bikeway, the Soundwall, the Aesthetic Treatment, etc. Chair Kinsey suggested there be a subcommittee formed to work specifically on these issues regarding the Gap Closure. Subcommittee nominations/selection will be on next week's regular meeting agenda.

D. Organizational structure evaluation

Chair Kinsey said we need to develop not only an administrative structure but also a strategic plan which looks at the financing of all four-program areas of Measure A, plus, there is a sense of urgency to develop a MCTD structure plus financial planning (to bond or not to bond), to interact with the GGBHTD.

Commissioner Breen said MCTD needs TAM as its financial guide and recommended they expand beyond a sole-source contract with GGBHTD, and discuss at next week's meeting. We also need an ED structure in place; who will organize that?

Commissioner Murray recommended the formation of a Citizens Oversight Committee (COC); Chair Kinsey said that the importance of an OC comes at the time of the allocation of monies. TAM needs to get the Strategic Plan developed and 'out the door' before TAM takes up the issue of the OC. Let us not allocate money until the Strategic Plan is in place.

The question of when to kick off an OC was discussed. Supervisor-Elect McGlashan suggested the OC be in place prior to and at the onset of, Transit Planning, to begin brainstorming at that time. Transit Planning should happen once the RFP goes out. Every city and every stakeholder will be included in the planning, financial, and informational process of the Transit District's issues. Chair Kinsey will be asking at next week's meeting for volunteers for committees whose interests and issues they would like to focus on.

Commissioner Murray suggested the formation of a Communication/Outreach Committee, who could also focus on legislative analysis of upcoming issues. Chair Kinsey agreed, yet we also want to ensure that the structure of each committee be durable, capable of absorbing a range of issues, plus, able to commit to a meeting schedule and TAM. Dean Powell reminded the Executive Committee that the purpose of the Oversight Committee is to review the expenditures of the Authority and issue an annual report.

Commissioner Lundstrom asked if the Committee wished to enlist City & Town Council alternates. Chair Kinsey likened committee membership to job-sharing; the more that information is available to elected local officials, and then made public, the better.

Dean Powell also reminded all that Measure A requires that a Technical Advisory Committee (TAC) be selected. Chair Kinsey said the TAC would not be policy-focused.

Executive Director Tackabery also requested the Executive Committee consider financial and accounting systems; any entities given monies by the TAM will need agreements. Performance standards will need to be outlined. Some sales tax entities require claimants to make up signs and write articles. We have no filing system/organization. If TAM is to have an independent staff, they will need their own office(s); this involves leases, utilities, furniture, etc. Sonoma County Transportation Authority has its own office with an independent staff, yet they have contracts with Sonoma County for legal, payroll, accounting, and retirement and health benefits services. If this is a system Marin wishes to model itself after, someone would have to manage all of those contracts. Bond financing, as in the Gap Closure Project, is its own project.

Chair Kinsey thought that if Nelson Nygaard is the correct group to work with on many issues, they will not be the consultants to work with on most of the staffing/organizational structure issues as

listed above. Ideally, there is work to be done to get an RFP drafted during the next few months in order to hire a consultant group.

Chair Kinsey questioned when the Congestion Management Plan (CMP) is due. TAM has agreed it will affect its multi-modal future. Dean Powell said it is due in 2005, and therefore an RFP will need to be drafted very soon. Chair Kinsey said the strategic plan should define the new CMP and performance standards. From a strict compliance perspective, it would be difficult to do this, and make the deadline. The new CMP, which reflects all of TAM's modes, not just the roadway piece, must be approved by December 2005.

4) Open Time For Public Expression

Public comments included Karen Nygren's suggestion that this not go out as an RFP, in that it will be difficult to explain to the public. Politically she feels that Bonnie Nelson would be the best choice for the Short Range Transit Plan. Ms. Nygren said that if only 1% of the Measure's funds can be spent on administration, it is similar to the proverbial tail wagging the dog. Executive Director Tackabery explained that the 1% funding is for the administrative staffing role; 4% is for all other administrative costs. Ms. Nygren questioned how to get the strategic plan going while also complying with performance measures the public has agreed upon.

Rocky Birdsey felt Bonnie Nelson is also a wise choice for consultant, yet, asked if she is priced competitively. He also said that one year's time to get the Short Range Transit Plan approved is a very heavy burden for everyone involved, and asked if other time options existed. Chair Kinsey explained there are opportunities to create amendments to agreements; yet complying with the one-year time frame was in TAM's best interest. Mr. Birdsey also shared a document of support for TAM and Measure A, signed by 101, 109, and 110 year old constituents!

Chair Kinsey adjourned the TAM Executive Committee meeting at 4:30 p.m.